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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

DIRECTV, INC., a California corporation,
Plaintiff,
vs.
MARVIN FREEMAN, et al.,
Defendants.

Case No. CIV-S-03-1883 FCD PAN

Hon. Frank C. Damrell, Jr.

**STIPULATION FOR VOLUNTARY
DISMISSAL OF DEFENDANT RICK
RAPALEE AND REQUEST TO RETAIN
JURISDICTION; ORDER THEREON**

IT IS HEREBY STIPULATED by and between Plaintiff DIRECTV, Inc.
("DIRECTV") and Defendant RICK RAPALEE, through their respective counsel of record, that
the above-captioned action be and hereby is dismissed without prejudice, pursuant to Fed. R. Civ.
P. 41(a)(1), as to Defendant RICK RAPALEE. Each of said parties to bear its/his own costs and
attorney's fees.

The terms of the Confidential Settlement Agreement dated February 17, 2005
("Agreement") entered into between the Defendant and DIRECTV require the performance of
certain obligations by Defendant that will not be completed until July 2005. If the Defendant
does not timely or fully perform these obligations when due, DIRECTV is authorized to seek
enforcement of those obligations in this Court. The parties therefore have consented, and hereby
further stipulate and consent to, the retention of jurisdiction over them by this Court and to

reference to a Magistrate Judge in this District for the purpose of enforcing those obligations of the Agreement, as defined therein. The parties therefore respectfully request that the Court retain such jurisdiction.

DATED: April 14, 2005

Respectfully Submitted,

BUCHALTER, NEMER, FIELDS & YOUNGER
A Professional Corporation

By: /s/ Kimberly R. Colombo
Kimberly R. Colombo
Attorneys for Plaintiff DIRECTV, Inc.

DATED: April 14, 2005

PARR LAW GROUP

By: /s/ Shawn R. Parr (original obtained by attorney)
Shawn R. Parr
Attorneys for Defendant RICK RAPALEE

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3 **ORDER**

4 HAVING READ AND CONSIDERED the forgoing Stipulation for Voluntary
5 Dismissal of Defendant RICK RAPALEE and Request to Retain Jurisdiction, and such other
6 pleadings, documents and records deemed appropriate by the Court, and good cause appearing
7 therefore, IT IS HEREBY ORDERED:

8 (1) Defendant RICK RAPALEE is hereby dismissed from this action without
9 prejudice;

10 (2) Each of said parties to bear its/his own costs and attorney's fees; and

11 (3) The Court shall retain jurisdiction over DIRECTV and Defendant RICK
12 RAPALEE to enforce the terms described above of the Settlement Agreement between those
13 parties dated February 17, 2005 and hereby refers any further proceedings in this action to
14 enforce such terms of the Settlement Agreement to a Magistrate Judge of this District.

15 Dated: April 18, 2005

16 _____/s/ Frank C. Damrell, Jr.
17 Honorable Frank C. Damrell, Jr.
18 Judge of the United States District Court
19 Eastern District of California
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